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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/985,122	12/04/1997	H ANDERSSON	12177/34701	3176

23838 7590 08/06/2004  
KENYON & KENYON  
1500 K STREET, N.W., SUITE 700  
WASHINGTON, DC 20005

EXAMINER
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HOOSAIN, ALLAN

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 08/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

08/985,122

**Applicant(s)**

ANDERSSON ET AL.

**Examiner**

Allan Hoosain

**Art Unit**

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on Amendment E, 9/24/01.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 18-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 18-45 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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## DETAILED ACTION

### *Claim Objections*

1. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 18-46 have been renumbered as 18-45 because there is no claim 39.

In Particular, Claims 40-46 have been renumbered as Claims 39-45.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 18-19, 24-25, 29-30, 34-35, 39-40 are rejected under 35 U.S.C. 102(e) as being anticipated by **Amin** (US 6,014,559).

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As to Claims 18,24,29,34,39, with respect to Figures 1-3, **Amin** teaches a system for providing voice messaging to a wireless device, 10, and a landline communication device, 98, the system comprising:

a voice mailbox (Figure 1, label 106);

a mobile switching center interface, 12, capable of receiving requests to leave messages in the voice mailbox for the wireless device (Figure 3, label 204) or the landline communication device (Figure 1, label 19), wherein the wireless device may be identified by a cellular phone number (first telephone number) and base station (the landline device) may be identified by a private base station land line number (second telephone number) (Col. 5, lines 4-12); and

a voice mail notification (message waiting indicator) coupled to said mobile switching center interface, wherein when a request to leave a message is received at the mobile switching center interface for either the wireless device or the landline communication device, a voice mail notification (voice message waiting indication) is transmitted to both the wireless device and the landline communication device (Col. 6, lines 10-13 and Figure 3, label 222).

As to Claims 19,25,30,35,40, **Amin** teaches the system of claim 18, wherein the message waiting indication is provided to said landline communication device through a hub end office without passing through said mobile switching center (Col. 6, lines 14-16).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 20-23, 26-28,31-33,36-38,41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Amin** in view of **Bartholomew et al.** (US 6,215,858).

As to Claim 20-22,26-27,31-32,36-37,41-42, **Amin** teaches the system of claim 19, wherein the message waiting indication is sent to said hub end office and the message waiting indication is sent from said hub end office to the landline communication device through a remote end office over the Signal System 7 network (Col. 3, lines 58-64);

**Amin** does not teach the following limitations;

“via an SDMI link”

**Bartholomew** teaches a SMDI link for transporting voice mail data in a PSTN network (Figure 4). Having the cited art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to add SMDI capability to **Amin's** invention for providing

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voice mail data as taught by **Bartholomew's** invention in order to provide voice mail notification services.

As to Claim 23, **Amin** teaches the system of claim 21 wherein said message waiting indicator causes a notification to be first sent to said landline communication device (one of said wireless device and said landline communication device) and then subsequently causes a notification to be sent to the cellular phone (other one of said wireless device and said landline communication device) when a generate voice mail notification (predetermined condition) is satisfied (Figure 3, label 210).

As to Claims 28,33,38,43, **Amin** teaches the system of claim 27 wherein said message waiting indications are sent to said wireless device and said landline communication device substantially simultaneously (Figure 3, label 222 and Col. 6, lines 10-13,54-57).

7. Claims 44-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Amin** in view of **Kasper et al.** (US 5,177,780).

As to Claims 44-45, **Amin** teaches the system of Claim 18 wherein all inbound calls to the voice mailbox are:

**Amin** does not teach the following limitation:

“received via the mobile switching center interface”

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**Kasper** teaches setting up and completing calls in a mobile cellular system with voice mail notification (Col. 2, lines 56-63 and Figure 1). Having the cited art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to add mobile inbound calls to **Amin's** invention for providing voice mail services to mobile subscribers as taught by **Kasper's** invention in order to provide voice mail notification to mobile subscribers.

### *Response to Arguments*

8. Applicant's arguments with respect to claims 18-45 have been considered but are moot in view of the new ground(s) of rejection.

### *Conclusion*

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Amin** (US 6,006,087) teach voice mail notification to subscribers in a cellular network.

**Allen et al.** (US 5,313,515) teach providing voice mail notification to mobile subscribers when they place calls.

**Gallant et al.** (US 5,802,466) teach providing different levels of voice mail notifications to subscribers.

10. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231  
or faxed to:

(703) 872-9314, (for formal communications intended for entry)

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**Or:**

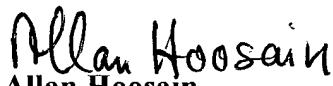
(703) 306-0377 (for customer service assistance)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Allan Hoosain** whose telephone number is (703) 305-4012. The examiner can normally be reached on Monday to Friday from 7 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Fan Tsang**, can be reached on (703) 305-4895.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

  
**Allan Hoosain**  
**Primary Examiner**  
2/2/04